

WEST LAKELAND TOWNSHIP

December 12, 2016

7:00 p.m.

Oak-Land Jr. High

Present: Chairman Dan Kylo, Supervisor Steven Ebner, Supervisor Dave Schultz; Carrie Seifert, Clerk; Mr. Scott McDonald, Township Attorney; Ms. Marsha Olson, Treasurer; Mr. Dave Dupay, Planning Commission Chair; Duane Stensland, Building Inspector

Call to Order

Chairman Kylo called to order the regular meeting of the West Lakeland Board of Supervisors at 7:04 PM.

Approval of Minutes

Supervisor Schultz moved to approve the minutes of the November 14, 2016 meeting with minor corrections. Seconded by Supervisor Ebner, the motion carried.

Supervisor Schultz moved to approve the minutes of the November 28, 2016 meeting. Seconded by Supervisor Ebner, the motion carried.

Supervisor Ebner moved to approve the minutes of the November 29, 2016 meeting. Seconded by Supervisor Schultz, the motion carried.

Notice of Decision

The board reviewed the draft notice of decision concerning wetlands on Windbreak Meadows. It was determined there are no wetlands on the property under consideration for development. Supervisor Schultz moved to authorize the clerk to sign the notice of decision. Seconded by Supervisor Ebner, the motion carried.

Training Compensation for the Deputy Clerk

Ms. Jennifer Samec has been hired at the Deputy Clerk, and is currently in training. She will be in training over the next month. Supervisor Ebner moved to approve an hourly wage of \$17.28 per hour during the training period. Seconded by Supervisor Schultz, the motion carried.

Washington County Historical Society

Chairman Kylo presented a request from the Washington County Historical Society for funds to help preserve and conserve the historical records for West Lakeland Township. Supervisor Schultz moved to authorize a gift of \$500 for archival storage. Seconded by Supervisor Ebner, the motion carried.

West Lakeland Comprehensive Plan

The board did receive the Baytown proposed comprehensive plan. Supervisor Schultz had comments regarding the aviation section of the plan. The plan was referred to the Planning Commission for review. Comments should be completed by February.

The planning commission was also asked to consider the three options for support proposed by Sambatek. The planning commission was asked to have feedback for the January 2017 regular meeting.

Supervisor Ebner presented a comparison of land use ordinances between the township and Washington County in preparation for the transfer of land use administration from the County to West Lakeland. There are areas addressed in the current Washington County ordinances that are not specified in the current West Lakeland Code. Draft modifications will be proposed.

WEST LAKELAND TOWNSHIP

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Oak-Land Jr. High

Resolution Upholding the West Lakeland Comprehensive Plan

Mr. McDonald presented a draft resolution specifying the board's support of the current West Lakeland Comprehensive Plan. The resolution draft was in response to the request from residents at the last regular meeting. Chairman Kylo spoke in support of the resolution, in that it addressed the concerns of the petitioners and did not prevent the township for reviewing options in the future. The board members noted that there is no immediate intent or need and there are no immediate plans for public services; but in the future, the board wants to be able to respond to provide the best solution for the Township. As a hypothetical example, public water or sewer systems might be considered if there were substantial contamination to the water table. Should the land owned by the Prairie Island Indian Tribe go into federal trust, the ordinances of West Lakeland and Washington County would not apply to that land.

It was noted that there may be some influence by the Metropolitan Council with regard to the overall sewer and clean water management as it enters or exits the property. The tribe would have the authority to develop services within their boundaries.

It was further noted that the current comprehensive plan states that sewer services and public water services are not supported. The Metropolitan Council plans also do not allow public sewer along that corridor.

Mr. Charlie Devine presented a summary of his communications with Metropolitan Representative Harry Melander regarding septic services to the Prairie Island property, and the role of the Met Council in managing those public services. Under the current guidelines, West Lakeland would not be considered for inclusion in the metropolitan water treatment system. Based on a comparison with the Mystic Lake Casino, Mr. Devine believes that the property and its use would need to be addressed in the West Lakeland Township Comprehensive Plan, and service requirements for Prior Lake include those of the Casino property. He would like the resolution to more clearly state that the township does not want any intensified use on property in West Lakeland owned by the Prairie Island Indian tribe.

Chairman Kylo noted that his research is not as clear on the jurisdiction of the Metropolitan Council over Federal Trust land. The Met Council Land Planning Act does not specifically address tribal nations.

Mr. McDonald noted that the board could contract with Mr. Quigley to help clarify the jurisdictional issues. In the case of Prior Lake, the joint agreement between the tribe and the city allowed the city to address their own infrastructure needs in a more affordable manner. It was also noted that the draft application received by the township reports the intended use to be agricultural.

Supervisor Ebner requested Mr. Devine provide the summary of his communication with the Metropolitan Council to the board for review. Chairman Kylo will also contact the Metropolitan Council for additional clarification of their role and jurisdiction in this case. The information will be provided to Mr. Quigley for comment. If appropriate, Chairman Kylo may propose a meeting specifically with the Met Council planning staff to provide a more common understanding

It was noted that there was an article in the St Paul Pioneer Press regarding water levels in the area lakes. There are multiple organizations looking at that issue, including a coalition of impacted cities.

WEST LAKELAND TOWNSHIP

December 12, 2016

7:00 p.m.

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Supervisor Schultz moved to table any action on the draft resolution pending additional clarification and communication with the Met Council on their role and their jurisdiction with regard to public services and land in Federal Trust. Seconded by Supervisor Ebner, the motion carried.

Lind Home Occupation Violation

Ms. Viet Hanh Winchell appeared to update the board members on the current status of the litigation with Mr. Lind. Mr. Lind did bring a counter claim, which triggered an insurance claim by the Township. Insurance Council, Mr. Nicholas O'Connell, is also involved in the litigation, and has been taking the lead in the discovery process. It was recommended that a closed meeting be scheduled with the township legal staff and the insurance legal staff, to discuss the path of the ongoing litigation. Proposed dates were given to Ms. Winchell to coordinate a meeting.

Treasurer's Report

Ms. Olson presented the report for November reflecting \$20,106 in receipts and \$54,967 in expenses. The net assets of the township are 1,503,309. Supervisor Ebner moved to approve the report as presented and pay the invoices for payment. Seconded by Supervisor Schultz, the motion carried.

GIS Database

Mr. Dupay presented an update on the GIS data available to integrate with Terraflex. Open source databases and Washington County databases can provide access to lot level data, parcels, catch basins, aerial photography, and contours. Mr. Dupay will continue to investigate.

Additional Business

The resolution regarding the ordinance to opt out of the state statute regarding temporary healthcare dwellings was presented to the board for signature.

Washington County Public Works has invited comments regarding the environmental phase for the Manning Avenue/County Road 15 Safety Improvement Project. The secondary phase, Part 2, is the section that impacts West Lakeland.

Chairman Kylo noted that repairs to address issues found in the 2016 MS4 inspections were not completed before the winter, and the work will need to wait until spring. The initial estimate is \$8,500 and an estimated \$5,000 in repairs were identified with the most recent inspections.

Resolution 2016-12 was presented to the board for signature.

Adjourn

Having no further business, Chairman Kylo moved to adjourn the meeting. Seconded by Supervisor Schultz, the motion carried. Chairman Kylo adjourned the meeting at 9:29 PM.

Respectfully submitted,



Elizabeth Vance
Recording Secretary